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Attorneys for the United States of America

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UNITED STATES OF AMERICA ex rel.
STF, LLC, an organization; STATE OF
CALIFORNIA ex rel. STF, LLC, an
organization,

Plaintiffs,

v.

VIBRANT AMERICA, LLC, a Delaware
Limited Liability Company,

Defendant.

CASE NO. C 16-2487 JCS

**STIPULATION TO UNSEAL
UNITED STATES' NOTICE OF
ELECTION TO DECLINE
INTERVENTION; [~~PROPOSED~~]
ORDER**

STIPULATION

WHEREAS, on February 14, 2020, the United States filed a Notice of Election to Decline Intervention (Doc. No. 30);

WHEREAS, on March 6, 2020, the State of California filed a Notice of Election to Decline Intervention (Doc. No. 33);

WHEREAS, the California Department of Insurance has not, as of yet, filed for Intervention pursuant to the California Insurance Frauds Prevention Act, Ins. Code Sec. 1871.7;

WHEREAS, on March 10, 2020, the Court entered an Order Re: State of California's Notice of Election to Decline Intervention (the "Order") (Doc. No. 34);

WHEREAS, as requested by the State of California, the Order kept all then-current contents of the Court's file under seal except for the Complaint; the summons, if any; the Case Management Order; and the Order; and lifted the seal as to all other matters occurring in this action after the date of the Order;

WHEREAS, the United States' Notice of Election to Decline Intervention (Doc. No. 30) was not unsealed by the Order and remains under seal;

WHEREAS, the United States, the State of California, the California Department of Insurance, Relator STF, LLC, and Defendant Vibrant America, LLC, agree with unsealing the United States' Notice of Election to Decline Intervention (Doc. No. 30);

THEREFORE, the United States, the State of California, the California Department of Insurance, Relator STF, LLC, and Defendant Vibrant America, LLC, hereby stipulate, subject to the approval of the Court, that the United States' Notice of Election to Decline Intervention (Doc. No. 30) should be unsealed.

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Respectfully submitted,

DATED: 5/5/2020

DAVID L. ANDERSON
United States Attorney

/s/ Neill T. Tseng
NEILL T. TSENG
Assistant United States Attorney
Attorneys for the United States of America

DATED: 5/5/2020

XAVIER BECERRA
Attorney General for the State of California

/s/ Jennifer Gregory
JENNIFER GREGORY
Deputy Attorney General
California Department of Justice
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DATED: 5/5/2020

/s/ Geoffrey F. Margolis
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Attorneys for the State of California

1 DATED: 5/5/2020

COTCHETT, PITRE & McCARTHY LLP

2 /s/ Joseph M. Alioto Jr.

3 JOSEPH M. ALIOTO JR.

4 Attorneys for Relator STF, LLC

5 DATED: 5/5/2020

FOLEY & LARDNER LLP

7 /s/ Thomas S. Brown

8 THOMAS S. BROWN

9 Attorneys for Defendant Vibrant America, LLC

10
11 **ATTESTATION**

12 Pursuant to Civil L.R. 5-1(i)(3), I, Neill T. Tseng, attest that I have obtained concurrence in
13 the filing of this document from each of the other signatories.

14
15 DATED: 5/5/2020

/s/ Neill T. Tseng

16 NEILL T. TSENG

~~PROPOSED~~ ORDER

PURSUANT TO STIPULATION, IT IS HEREBY ORDERED THAT the United States' Notice of Election to Decline Intervention (Doc. No. 30) be unsealed.

Dated: May 7, 2020



HONORABLE JOSEPH C. SPERO
United States Chief Magistrate Judge